

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO  
SAN BERNARDINO JUSTICE CENTER DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,	)	
	)	
Plaintiff	)	
	)	
vs.	)	FELONY COMPLAINT
	)	
Fidel Ocamporodarte	)	
	)	
	)	DA CASE NO 2022-00-0052438
Defendant	)	
	)	
	)	
	)	

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The undersigned is informed and believes that:

COUNT 1

On or about November 06, 2022, in the above-named judicial district, the crime of DISCHARGE OF FIREARM WITH GROSS NEGLIGENCE, in violation of PENAL CODE SECTION 246.3(a), a felony, was committed by Fidel Ocamporodarte, who did willfully and unlawfully discharge a firearm in a grossly negligent manner which could result in injury and death to a person.

NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c).

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It is further alleged as to each count, pursuant to Penal Code section 1170, subdivision (b)(2), that the following circumstances may apply in this case:

1. The crime involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness;
2. The defendant was armed with or used a weapon at the time of the commission of the crime;

3. The victim was particularly vulnerable;
4. The defendant induced others to participate in the commission of the crime or occupied a position of leadership or dominance of other participants in its commission;
5. The defendant induced a minor to commit or assist in the commission of the crime;
6. The defendant threatened witnesses, unlawfully prevented or dissuaded witnesses from testifying, suborned perjury, or in any other way illegally interfered with the judicial process;
7. The defendant was convicted of other crimes for which consecutive sentences could have been imposed but for which concurrent sentences are being imposed;
8. The manner in which the crime was carried out indicates planning, sophistication, or professionalism;
9. The crime involved an attempted or actual taking or damage of great monetary value;
10. The crime involved a large quantity of contraband;
11. The defendant took advantage of a position of trust or confidence to commit the offense.
12. The crime constitutes a hate crime under section 422.55;
13. The defendant has engaged in violent conduct that indicates a serious danger to society;
14. The defendant's prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness;
15. The defendant has served a prior term in prison or county jail under section 1170(h);
16. The defendant was on probation, mandatory supervision, postrelease community supervision, or parole when the crime was committed; and
17. The defendant's prior performance on probation, mandatory supervision, postrelease community supervision, or parole was unsatisfactory; and
18. And any other aggravating factors that may be permitted by law.

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#### NOTICE TO DEFENDANT AND DEFENDANT'S ATTORNEY

Pursuant to Penal Code Sections 1054.5.(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

#### NOTICE TO ATTORNEY

The materials accompanying this notice may include information about witnesses. If so, these materials are disclosed to you pursuant to Penal Code section 1054.2 which provides: "No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause."

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 1 COUNT(S).

Executed at San Bernardino, California, on November 29, 2022

Cecilia Joo  
\_\_\_\_\_  
Cecilia Joo  
DECLARANT AND COMPLAINANT

Agency: Twin Peaks Sheriff Station

Prelim Est.

Defendant	Birth Date	Booking No	CII No.	NCIC
Fidel Ocamporodarte	1997-12-18			